

**WATERWORKS AND
WASTEWATER WORKS
OPERATORS REGULATIONS
STANDARDS OF CONDUCT**

This document is a draft only and is subject to amendment during the review process. Once the Board finalizes its review, the text that the Board agrees upon will be adopted as proposed. The proposed regulations will then undergo executive branch approval and additional changes may be made during that process. Once executive branch approval is obtained, the proposed regulations will be published on www.townhall.virginia.gov and will be open for public comment.

STANDARDS OF PRACTICE AND CONDUCT

18VAC160-30-200. Grounds for disciplinary action.

The board may place a licensee on probation, impose a monetary penalty in accordance with § 54.1-202 A of the Code of Virginia, or revoke, suspend or refuse to renew any license when the licensee has been found to have violated or cooperated with others in violating any provisions of the regulations of the board or Chapter 23 (§ 54.1-2300 et seq.) of Title 54.1 of the Code of Virginia.

18VAC160-30-210. Maintenance of license.

- A. No license issued by the board shall be assigned or otherwise transferred.
- B. A licensee shall report, in writing, all changes of address to the board within 30 days of the change and shall return the license to the board. In addition to the address of record, a physical address is required for each license. If the licensee holds more than one license, the licensee shall inform the board of all licenses, certificates, and registrations affected by the address change. The board shall not be responsible for the licensee's failure to receive notices or correspondence due to the licensee's failure to report a change of address.
- C. Any change in any of the qualifications for licensure found in <insert Entry Requirement regulation(s)> shall be reported to the board within 30 days of the change.

18VAC160-30-220. Notice of adverse action.

Licensees shall notify the board of the following actions against the licensee:

- A. Any disciplinary action taken by any jurisdiction, board, or administrative body of competent jurisdiction, including but not limited to any reprimand, license or certificate revocation, suspension or denial, monetary penalty, requirement for remedial education, or other corrective action.
- B. Any voluntary surrendering of a related license, certificate, or registration done in connection with a disciplinary action in another jurisdiction.

*This document is a **draft only** and is subject to amendment during the review process. Once the Board finalizes its review, the text that the Board agrees upon will be adopted as proposed. The proposed regulations will then undergo executive branch approval and additional changes may be made during that process. Once executive branch approval is obtained, the proposed regulations will be published on www.townhall.virginia.gov and will be open for public comment.*

C. Any conviction, finding of guilt, or plea of guilty, regardless of adjudication or deferred adjudication, in any jurisdiction of the United States of any misdemeanor involving lying, cheating, stealing, sexual offense, drug distribution, physical injury, or relating to the practice of the profession, or of any felony, there being no appeal pending therefrom or the time for appeal having lapsed. Review of convictions shall be subject to the requirements of § 54.1-204 of the Code of Virginia. Any plea of nolo contendere shall be considered a conviction for the purpose of this section.

The notice must be made to the board in writing within 30 days of the action. A copy of the order or other supporting documentation must accompany the notice. The record of conviction, finding, or case decision shall be considered prima facie evidence of a conviction or finding of guilt.

18VAC160-30-230. Prohibited acts.

The following acts are prohibited and any violation may result in disciplinary action by the board:

- A. Violating, inducing another to violate, cooperating with another to violate, or combining or conspiring with or acting as agent, partner, or associate for another to violate any of the provisions of Chapter 1, Chapter 2, or Chapter 23 (§ 54.1-2300 et seq.) of Title 54.1 of the Code of Virginia, or any of the regulations of the board.
- B. Allowing a license issued by the board to be used by another.
- C. Obtaining or attempting to obtain a license by false or fraudulent representation, or maintaining or renewing a license by false or fraudulent representation.
- D. A licensee having been convicted, found guilty, or disciplined in any jurisdiction of any offense or violation enumerated in 18VAC160-30-220.
- E. Failing to inform the board in writing within 30 days that the licensee was convicted, found guilty, or disciplined in any jurisdiction of any offense or violation enumerated in 18VAC160-30-220.
- F. Not demonstrating reasonable care, judgment, or application of the required knowledge, skill, and ability, in the performance of the licensee's duties;

This document is a draft only and is subject to amendment during the review process. Once the Board finalizes its review, the text that the Board agrees upon will be adopted as proposed. The proposed regulations will then undergo executive branch approval and additional changes may be made during that process. Once executive branch approval is obtained, the proposed regulations will be published on www.townhall.virginia.gov and will be open for public comment.

- G. Having undertaken to perform or performed a professional assignment that the licensee is not qualified to perform by education, experience, training, or any combination thereof.
- H. Failing to report a change as required by 18VAC160-30-210.
- I. Negligence, misconduct, or incompetence in the practice of the profession.
- J. Making any misrepresentation or engaging in acts of fraud or deceit in advertising, soliciting, or in providing professional services.
- K. Failing to adequately supervise and review work performed by unlicensed employees under the direction of *(on behalf of?)* the licensee.
- L. Knowingly misrepresenting factual information in expressing a professional opinion.
- M. Failing to act in providing waterworks and wastewater works operator services in a manner that safeguards the interests of the public.

18VAC160-30-240. Conflicts of interest.

The licensee shall:

1. Promptly and fully inform an employer or client of any business association, interest, or circumstance that may influence the licensee's judgment or the quality of service.
2. Not accept compensation, financial or otherwise, from more than one party for services on or pertaining to the same project, unless the circumstances are fully disclosed to, and agreed to by, all interested parties in writing.

*This document is a **draft only** and is subject to amendment during the review process. Once the Board finalizes its review, the text that the Board agrees upon will be adopted as proposed. The proposed regulations will then undergo executive branch approval and additional changes may be made during that process. Once executive branch approval is obtained, the proposed regulations will be published on www.townhall.virginia.gov and will be open for public comment.*

3. Neither solicit nor accept financial or other valuable consideration from material or equipment suppliers for specifying their products or services.

4. Not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with a client or employer in connection with work for which the licensee is responsible.

18VAC160-30-250. Licensee responsibility.

A. The primary obligation of the licensee is to the public. If the licensee's judgment is overruled and not adhered to when advising appropriate parties of any circumstances of a substantial threat to the public health, safety, or welfare, the licensee shall inform the employer or client, as applicable, of the possible consequences and notify appropriate authorities.

B. The licensee shall not knowingly associate in a business venture with, or permit the use of the licensee's name or firm name by, any person or firm where there is reason to believe that person or firm is engaging in activity of a fraudulent or dishonest nature or is violating any law or regulations of the board.

C. A licensee who has direct knowledge that another individual or firm may be violating any of these provisions, or the provisions of Chapter 23 of Title 54.1 of the Code of Virginia, shall immediately inform the board in writing and shall cooperate in furnishing any further information or assistance that may be required.

18VAC160-30-260. Response to Inquiry and Provision of Records.

A. A licensee must respond within 10 days to a request by the board or any of its agents regarding any complaint filed with the department.

B. Unless otherwise specified by the board, a licensee of the board shall produce to the board or any of its agents within 10 days of the request any document, book, or record concerning any transaction pertaining to a complaint filed in which the licensee was involved, or for which the licensee is required to maintain records. The board

This document is a draft only and is subject to amendment during the review process. Once the Board finalizes its review, the text that the Board agrees upon will be adopted as proposed. The proposed regulations will then undergo executive branch approval and additional changes may be made during that process. Once executive branch approval is obtained, the proposed regulations will be published on www.townhall.virginia.gov and will be open for public comment.

may extend such time frame upon a showing of extenuating circumstances prohibiting delivery within such 10-day period.

C. A licensee shall not provide a false, misleading, or incomplete response to the board or any of its agents seeking information in the investigation of a complaint filed with the board.

D. With the exception of the requirements of subsections A and B of this section, a licensee must respond to an inquiry by the board or its agent within 21 days.

**ONSITE SEWAGE SYSTEM
PROFESSIONALS
REGULATIONS**

STANDARDS OF CONDUCT

This document is a draft only and is subject to amendment during the review process. Once the Board finalizes its review, the text that the Board agrees upon will be adopted as proposed. The proposed regulations will then undergo executive branch approval and additional changes may be made during that process. Once executive branch approval is obtained, the proposed regulations will be published on www.townhall.virginia.gov and will be open for public comment.

STANDARDS OF PRACTICE AND CONDUCT

18VAC160-40-200. Grounds for disciplinary action.

The board may place a licensee on probation, impose a monetary penalty in accordance with § 54.1-202 A of the Code of Virginia, or revoke, suspend or refuse to renew any license when the licensee has been found to have violated or cooperated with others in violating any provisions of the regulations of the board or Chapter 23 (§ 54.1- 2300 et seq.) of Title 54.1 of the Code of Virginia.

18VAC160-40-210. Maintenance of license.

- A. No license issued by the board shall be assigned or otherwise transferred.
- B. A licensee shall report, in writing, all changes of address and name to the board within 30 days of the change and shall return the license to the board. In addition to the address of record, a physical address is required for each license. If the licensee holds more than one license, the licensee shall inform the board of all licenses, certificates, and registrations affected by the name or address change. The board shall not be responsible for the licensee's failure to receive notices or correspondence due to the licensee's failure to report a change of name or address.
- C. Any change in any of the qualifications for licensure found in <insert Entry Requirement regulation(s)> shall be reported to the board within 30 days of the change.

18VAC160-40-220. Notice of adverse action.

Licenseses shall notify the board of the following actions against the licensee:

- A. Any disciplinary action taken by any jurisdiction, board, or administrative body of competent jurisdiction, including but not limited to any reprimand, license or certificate revocation, suspension or denial, monetary penalty, requirement for remedial education, or other corrective action.
- B. Any voluntary surrendering of a related license, certificate, or registration done in connection with a disciplinary action in another jurisdiction.

This document is a draft only and is subject to amendment during the review process. Once the Board finalizes its review, the text that the Board agrees upon will be adopted as proposed. The proposed regulations will then undergo executive branch approval and additional changes may be made during that process. Once executive branch approval is obtained, the proposed regulations will be published on www.townhall.virginia.gov and will be open for public comment.

C. Any conviction, finding of guilt, or plea of guilty, regardless of adjudication or deferred adjudication, in any jurisdiction of the United States of any misdemeanor involving lying, cheating, stealing, sexual offense, drug distribution, physical injury, or relating to the practice of the profession, or of any felony, there being no appeal pending therefrom or the time for appeal having lapsed. Review of convictions shall be subject to the requirements of § 54.1-204 of the Code of Virginia. Any plea of nolo contendere shall be considered a conviction for the purpose of this section.

The notice must be made to the board in writing within 30 days of the action. A copy of the order or other supporting documentation must accompany the notice. The record of conviction, finding, or case decision shall be considered prima facie evidence of a conviction or finding of guilt.

18VAC160-40-230. Prohibited acts.

The following acts are prohibited and any violation may result in disciplinary action by the board:

- A. Violating, inducing another to violate, cooperating with another to violate, or combining or conspiring with or acting as agent, partner, or associate for another to violate any of the provisions of Chapter 1, Chapter 2, or Chapter 23 (§ 54.1-2300 et seq.) of Title 54.1 of the Code of Virginia, or any of the regulations of the board.
- B. Allowing a license issued by the board to be used by another.
- C. Obtaining or attempting to obtain a license by false or fraudulent representation, or maintaining or renewing a license by false or fraudulent representation.
- D. A licensee having been convicted, found guilty, or disciplined in any jurisdiction of any offense or violation enumerated in 18VAC160-40-220.
- E. Failing to inform the board in writing within 30 days that the licensee was convicted, found guilty, or disciplined in any jurisdiction of any offense or violation enumerated in 18VAC160-40-220.
- F. Not demonstrating reasonable care, judgment, or application of the required knowledge, skill, and ability, in the performance of the licensee's duties;
- G. Having undertaken to perform or performed a professional assignment that the licensee is not qualified to perform by education, experience, training, or any combination thereof.
- H. Failing to report a change as required by 18VAC160-40-210.

This document is a draft only and is subject to amendment during the review process. Once the Board finalizes its review, the text that the Board agrees upon will be adopted as proposed. The proposed regulations will then undergo executive branch approval and additional changes may be made during that process. Once executive branch approval is obtained, the proposed regulations will be published on www.townhall.virginia.gov and will be open for public comment.

- I. Negligence, misconduct, or incompetence in the practice of the profession.
- J. Making any misrepresentation or engaging in acts of fraud or deceit in advertising, soliciting, or in providing professional services.
- K. Failing to adequately supervise and review work performed by unlicensed employees or journeymen-level licensees under the direction of (on behalf of?) the licensee.
- L. Failure to obtain any permit, approval, or other document required by the Virginia Department of Health related to the design, installation, repair, or operation of an onsite sewage system.
- M. Knowingly signing any plans, drawings, reports, specifications, maps or other documents related to an onsite sewage system not prepared or reviewed and approved by the licensee.
- N. Knowingly misrepresenting factual information in expressing a professional opinion.
- O. Failing to act in providing onsite sewage system services in a manner that safeguards the interests of the public.
- P. Failing to make use of a legible, written contract clearly specifying the terms and conditions of the services to be performed related to the onsite sewage system. The contract shall include, but not be limited to, the following:
 - 1. When work is to begin and estimated completion date;
 - 2. A statement of the total cost of the contract and the amounts and schedule for progress payments including a specific statement on the amount of the down payment;

This document is a draft only and is subject to amendment during the review process. Once the Board finalizes its review, the text that the Board agrees upon will be adopted as proposed. The proposed regulations will then undergo executive branch approval and additional changes may be made during that process. Once executive branch approval is obtained, the proposed regulations will be published on www.townhall.virginia.gov and will be open for public comment.

3. A listing of specified materials and work to be performed, which is specifically requested by the consumer;
4. A "plain-language" exculpatory clause concerning events beyond the control of the licensee and a statement explaining that delays caused by such events do not constitute abandonment and are not included in calculating time frames for payment or performance;
5. A statement of assurance that the licensee will comply with all state and local requirements for permits, inspections, and other applicable requirements;
6. Disclosure of the cancellation rights of the parties;
7. Licensee's name, address, and license number; and
8. Statement providing that any modification to the contract, which changes the cost, materials, work to be performed, or estimated completion date, must be in writing and signed by all parties.
9. Failure to make prompt delivery to the consumer before commencement of work of a fully executed copy of the contract as described in this section for work related to the onsite sewage system.
10. Failure of the licensee to maintain for a period of five years from the date of contract a complete and legible copy of all documents relating to that contract, including, but not limited to, the contract and any addenda or change orders
11. Performing services or accepting payments prior to the signing of the contract by the licensee and the client or the client's authorized agent.
12. Abandonment defined as the unjustified cessation of work under the contract for a period of 30 days or more.
13. The intentional and unjustified failure to complete work contracted for and/or to comply with the terms in the contract
14. The retention or misapplication of funds paid, for which work is either not performed or performed only in part

This document is a draft only and is subject to amendment during the review process. Once the Board finalizes its review, the text that the Board agrees upon will be adopted as proposed. The proposed regulations will then undergo executive branch approval and additional changes may be made during that process. Once executive branch approval is obtained, the proposed regulations will be published on www.townhall.virginia.gov and will be open for public comment.

18VAC160-40-240. Conflicts of interest.

The licensee shall:

1. Promptly and fully inform an employer or client of any business association, interest, or circumstance that may influence the licensee's judgment or the quality of service.
2. Not accept compensation, financial or otherwise, from more than one party for services on or pertaining to the same project, unless the circumstances are fully disclosed to, and agreed to by, all interested parties in writing.
3. Neither solicits nor accept financial or other valuable consideration from material or equipment suppliers for specifying their products or services.
4. Not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with a client or employer in connection with work for which the licensee is responsible.

18VAC160-40-250. Licensee responsibility.

- A. The primary obligation of the licensee is to the public. If the licensee's judgment is overruled and not adhered to when advising appropriate parties of any circumstances of a substantial threat to the public health, safety, or welfare, the licensee shall inform the employer and client, as applicable, of the possible consequences and notify appropriate authorities.
- B. The licensee shall not knowingly associate in a business venture with, or permit the use of the licensee's name or firm name by, any person or firm where there is reason to believe that person or firm is engaging in activity of a fraudulent or dishonest nature or is violating any law or regulations of the board.
- C. A licensee who has direct knowledge that another individual or firm may be violating any of these provisions, or the provisions of Chapter 23 of Title 54.1 of the Code of Virginia, shall immediately inform the board in writing and shall cooperate in furnishing any further information or assistance that may be required.

This document is a draft only and is subject to amendment during the review process. Once the Board finalizes its review, the text that the Board agrees upon will be adopted as proposed. The proposed regulations will then undergo executive branch approval and additional changes may be made during that process. Once executive branch approval is obtained, the proposed regulations will be published on www.townhall.virginia.gov and will be open for public comment.

D. Except as provided in subsection E of this section, a licensee shall not utilize the evaluations, design, drawings or work of another licensee without the knowledge and written consent of the licensee or organization of ownership that originated the design, drawings or work. In the event that the licensee who generated the original document is no longer employed by the firm retaining ownership of the original documents or is deceased, another licensee who is a partner or officer in the firm retaining ownership of the original documents may authorize utilization of the original documents by another licensee or firm.

E. A licensee who relies on information in VDH files or has received permission to modify or otherwise utilize the evaluation, design, drawings or work of another licensee pursuant to subsection D or E of this section may certify that work only after a thorough review of the evaluation, design, drawings or work and after he determines that he is willing to assume full responsibility for all design, drawings or work on which he relies for his opinion.

18VAC160-40-260. Response to Inquiry and Provision of Records.

A. A licensee must respond within 10 days to a request by the board or any of its agents regarding any complaint filed with the department.

B. Unless otherwise specified by the board, a licensee of the board shall produce to the board or any of its agents within 10 days of the request any document, book, or record concerning any transaction pertaining to a complaint filed in which the licensee was involved, or for which the licensee is required to maintain records. The board may extend such time frame upon a showing of extenuating circumstances prohibiting delivery within such 10-day period.

C. A licensee shall not provide a false, misleading, or incomplete response to the board or any of its agents seeking information in the investigation of a complaint filed with the board.

D. With the exception of the requirements of subsections A and B of this section, a licensee must respond to an inquiry by the board or its agent within 21 days.

**ONSITE SEWAGE SYSTEM
PROFESSIONALS
REGULATIONS**

ENTRY REQUIREMENTS

**General Entry, Operator,
Installer**

**OSE and WWW are in progress
for upcoming review**

This document is a draft only and is subject to amendment during the review process. Once the Board finalizes its review, the text that the Board agrees upon will be adopted as proposed. The proposed regulations will then undergo executive branch approval and additional changes may be made during that process. Once executive branch approval is obtained, the proposed regulations will be published on www.townhall.virainia.aov and will be open for public comment.

PART II - ENTRY

18VAC160-40-30. Application procedures.

All applicants seeking licensure shall submit an application with the appropriate fee specified in <insert Fee regulation>. Application shall be made on forms provided by the board or its agent.

By submitting the application to the department, the applicant certifies that the applicant has read and understands the applicable statutes and the board's regulations.

The receipt of an application and the deposit of fees by the board does not indicate approval by the board.

The board may make further inquiries and investigations with respect to the applicant's qualifications to confirm or amplify information supplied. All applications shall be completed in accordance with the instructions contained herein and on the application. Applications will not be considered complete until all required documents are received by the board.

An individual or firm will be notified within 30 days of the board's receipt of an initial application if the application is incomplete. An individual or firm that fails to complete the process within 12 months of receipt of the application in the board's office must submit a new application and fee.

18VAC160-40-210. General qualifications for licensure.

All applicants for licensure as an onsite sewage system installer, onsite sewage system operator, and onsite soil evaluator shall meet the requirements and have the qualifications provided in this section.

- A. The applicant shall be at least 18 years old.
- B. When required pursuant to this chapter, the applicant shall have passed the applicable examination provided by the board or by a testing organization acting on behalf of the board.
- C. The applicant shall meet the experience requirements as set forth in
 - i. <insert experience section>.

This document is a draft only and is subject to amendment during the review process. Once the Board finalizes its review, the text that the Board agrees upon will be adopted as proposed. The proposed regulations will then undergo executive branch approval and additional changes may be made during that process. Once executive branch approval is obtained, the proposed regulations will be published on www.townhall.virginia.gov and will be open for public comment.

- D. In those instances where the applicant is required to take an examination for licensure, the applicant shall follow all rules established by the board with regard to conduct at the examination. Such rules shall include any written instructions communicated prior to the examination date and any instructions communicated at the site, either written or oral, on the date of the examination. Failure to comply with all rules established by the board and the testing organization with regard to conduct at the examination shall be grounds for denial of application.
- E. The applicant shall disclose his mailing address. A post office box is only acceptable as a mailing address when a physical address is also provided.
- F. The board may make further inquiries and investigations with respect to the qualifications of the applicant or require a personal interview with the applicant.
- G. In accordance with § 54.1-204 of the Code of Virginia, each applicant shall disclose the following information. The board, at its discretion, may deny licensure or certification to any applicant in accordance with §54.1-204 of the Code of Virginia.
1. All felony convictions.
 2. All misdemeanor convictions in any jurisdiction that occurred within three years of the date of application.
 3. Any plea of nolo contendere or finding of guilt regardless of adjudication or deferred adjudication shall be considered a conviction for the purposes of this section. The record of conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be admissible as prima facie evidence of such guilt.
- H. The applicant shall report any suspensions, revocations, or surrendering of a license in connection with a disciplinary action or which has been the subject of discipline in any jurisdiction prior to applying for licensure in Virginia. The board, at its discretion, may deny licensure to any applicant based on prior suspensions, revocations, or surrender of licenses based on disciplinary action by any jurisdiction.

*This document is a **draft only** and is subject to amendment during the review process. Once the Board finalizes its review, the text that the Board agrees upon will be adopted as proposed. The proposed regulations will then undergo executive branch approval and additional changes may be made during that process. Once executive branch approval is obtained, the proposed regulations will be published on www.townhall.virginia.gov and will be open for public comment.*

PART III – QUALIFICATIONS FOR LICENSING OF ONSITE SEWAGE SYSTEM INSTALLERS

18VAC160-40-220. License required.

- A. No individual shall install conventional or alternative onsite sewage systems without a valid master-level onsite sewage system installer license issued by the board.
- B. An individual cannot simultaneously hold valid master-level and journeyman-level onsite sewage system installer licenses issued by the board. Issuance of a master-level onsite sewage system installer license shall void the journeyman-level onsite sewage system installer license.
- C. An individual cannot simultaneously hold valid conventional and alternative onsite sewage system installer licenses issued by the board, regardless of whether the licenses are master-level or journeyman-level. Issuance of an alternative onsite sewage system installer license shall void the conventional onsite sewage system installer license.
- D. A journeyman-level onsite sewage system installer must work under the direct supervision of a licensed master-level onsite sewage system installer. A master-level onsite sewage system installer is responsible for supervising the provision of onsite sewage system installations by any journeyman-level onsite sewage system installers under his responsibility.
- E. Experience to qualify for licensure cannot be verified by a journeyman-level onsite sewage system installer.

*This document is a **draft only** and is subject to amendment during the review process. Once the Board finalizes its review, the text that the Board agrees upon will be adopted as proposed. The proposed regulations will then undergo executive branch approval and additional changes may be made during that process. Once executive branch approval is obtained, the proposed regulations will be published on www.townhall.virginia.gov and will be open for public comment.*

18VAC160-40-230. Qualifications for journeyman level conventional onsite sewage system installer licenses.

An applicant for licensure as a journeyman-level conventional onsite sewage system installer shall furnish acceptable documentation that one of the following requirements has been met:

	Prerequisites	Exam Required	Education Required	Documented Qualifying Experience
1.	Employee, owner, director, or officer of a properly licensed contractor with a sewage disposal system (SDS) specialty issued by the Virginia Board for Contractors.	No	No	Six months of full-time experience assisting with the installation of conventional or alternative onsite sewage systems.
2.	None	No	No	One year of full-time experience assisting with the installation of conventional or alternative onsite sewage systems verified by one or more of the following: a licensed onsite soil evaluator, a licensed onsite sewage system installer, or a licensed professional engineer. Work experience gained prior to July 1, 2009 may be verified by a VDH

*This document is a **draft only** and is subject to amendment during the review process. Once the Board finalizes its review, the text that the Board agrees upon will be adopted as proposed. The proposed regulations will then undergo executive branch approval and additional changes may be made during that process. Once executive branch approval is obtained, the proposed regulations will be published on www.townhall.virginia.gov and will be open for public comment.*

18VAC160-40-230. Qualifications for master-level conventional onsite sewage system installer licenses.

An applicant for licensure as a master-level conventional onsite sewage system installer shall furnish acceptable documentation that one of the following requirements has been met:

	Prerequisites	Exam Required	Education Required	Documented Qualifying Experience
1.	Employee, owner, director, or officer of a properly licensed contractor with a sewage disposal system (SDS) specialty issued by the Virginia Board for Contractors.	Yes	No	One year of full-time experience installing conventional or alternative onsite sewage systems verified by one or more of the following: a licensed onsite soil evaluator, a licensed onsite sewage system installer, or a licensed professional engineer. Work experience gained prior to July 1, 2009 may be verified by a VDH AOSE.
2.	Employee, owner, director, or officer of a properly licensed contractor with a sewage disposal system (SDS) specialty issued by the Virginia Board for Contractors.	No	20 hours of training approved by the Board covering the content areas for the conventional onsite sewage system installer examination	Two years of full-time experience installing conventional or alternative onsite sewage systems verified by one or more of the following: a licensed onsite soil evaluator, a licensed onsite sewage system installer, or a licensed professional engineer. Work experience gained prior to July 1, 2009 may be verified by a VDH AOSE.

*This document is a **draft only** and is subject to amendment during the review process. Once the Board finalizes its review, the text that the Board agrees upon will be adopted as proposed. The proposed regulations will then undergo executive branch approval and additional changes may be made during that process. Once executive branch approval is obtained, the proposed regulations will be published on www.townhall.virginia.gov and will be open for public comment.*

3.	No	Yes	2-3 hours of training approved by the Board covering the content areas for the conventional onsite sewage system examination	Two years of full-time experience installing conventional or alternative onsite sewage systems verified by one or more of the following: a licensed onsite soil evaluator, a licensed onsite sewage system installer, or a licensed professional engineer. Work experience gained prior to July 1, 2009 may be verified by a VDH AOSE.
4.	No	No	20 hours of training approved by the Board covering the content areas for the conventional onsite sewage system installer examination	Three years of full-time experience installing conventional or alternative onsite sewage systems verified by one or more of the following: a licensed onsite soil evaluator, a licensed onsite sewage system installer, or a licensed professional engineer. Work experience gained prior to July 1, 2009 may be verified by a VDH AOSE.

18VAC160-40-240. Qualifications for journeyman level alternative onsite sewage system installer licenses.

An applicant for licensure as a journeyman-level alternative onsite sewage system installer shall furnish acceptable documentation that one of the following requirements has been met:

This document is a draft only and is subject to amendment during the review process. Once the Board finalizes its review, the text that the Board agrees upon will be adopted as proposed. The proposed regulations will then undergo executive branch approval and additional changes may be made during that process. Once executive branch approval is obtained, the proposed regulations will be published on www.townhall.virginia.gov and will be open for public comment.

	Prerequisites	Exam Required	Education Required	Documented Qualifying Experience
1.	Employee, owner, director, or officer of a properly licensed contractor with a sewage disposal system (SDS) specialty issued by the Virginia Board for Contractors.	No	No	One year of full-time experience assisting with the installation of alternative onsite sewage systems verified by one or more of the following: a licensed onsite soil evaluator, a licensed onsite sewage system installer, or a licensed professional engineer. Work experience gained prior to July 1, 2009 may be verified by a VDH AOSE.
2.	None	No	No	Two years of full-time experience assisting with the installation of alternative onsite sewage systems verified by one or more of the following: a licensed onsite soil evaluator, a licensed onsite sewage system installer, or a licensed professional engineer. Work

*This document is a **draft only** and is subject to amendment during the review process. Once the Board finalizes its review, the text that the Board agrees upon will be adopted as proposed. The proposed regulations will then undergo executive branch approval and additional changes may be made during that process. Once executive branch approval is obtained, the proposed regulations will be published on www.townhall.virginia.gov and will be open for public comment.*

18VAC160-40-250. Qualifications for master-level alternative onsite sewage system installer licenses.

An applicant for licensure as a master-level alternative onsite sewage system installer shall furnish acceptable documentation that one of the following requirements has been met:

	Prerequisites	Exam Required	Education Required	Documented Qualifying Experience
1.	No	Yes	No	Two years of full-time experience verified by one or more of the following: a licensed alternative onsite soil evaluator, a licensed alternative onsite sewage system installer, or a licensed professional engineer. Work experience gained prior to July 1, 2009 may be verified by a VDH AOSE. Such experience must include completion statements and accompanying inspection reports for at least four alternative onsite sewage systems installed during that time period.
2.	No	No	20 hours of training approved by the Board covering the content areas for the alternative onsite sewage system installer examination	Three years of full-time experience verified by one or more of the following: a licensed alternative onsite soil evaluator, a licensed alternative onsite sewage system installer, or a licensed professional engineer. Work experience gained prior to July 1, 2009 may be verified by a VDH AOSE.

This document is a draft only and is subject to amendment during the review process. Once the Board finalizes its review, the text that the Board agrees upon will be adopted as proposed. The proposed regulations will then undergo executive branch approval and additional changes may be made during that process. Once executive branch approval is obtained, the proposed regulations will be published on www.townhall.virginia.gov and will be open for public comment.

3.	Held either an interim alternative or conventional onsite sewage system installer license that was not at any time subject to disciplinary action by the board.	Yes	No	Eighteen (18) months of full-time experience verified by one or more of the following: a licensed alternative onsite soil evaluator, a licensed alternative onsite sewage system installer, or a licensed professional engineer. Work experience gained prior to July 1, 2009 may be verified by a VDH AOSE. Such experience must include completion statements and accompanying inspection reports for at least four alternative onsite sewage systems installed during that time period.
4.	Held an interim alternative onsite sewage system installer license that was not at any time subject to disciplinary action by the board.	No	20 hours of training approved by the Board covering the content areas for the alternative onsite sewage system installer examination	Eighteen (18) months of full-time experience verified by one or more of the following: a licensed alternative onsite soil evaluator, a licensed alternative onsite sewage system installer, or a licensed professional engineer. Work experience gained prior to July 1, 2009 may be verified by a VDH AOSE. Such experience must include completion statements and accompanying inspection reports for at least four alternative onsite sewage systems installed during that time period.

*This document is a **draft only** and is subject to amendment during the review process. Once the Board finalizes its review, the text that the Board agrees upon will be adopted as proposed. The proposed regulations will then undergo executive branch approval and additional changes may be made during that process. Once executive branch approval is obtained, the proposed regulations will be published on www.townhall.virginia.gov and will be open for public comment.*

PART III - QUALIFICATIONS FOR LICENSING OF ONSITE SEWAGE SYSTEM OPERATORS

18VAC160-40-220. License required.

- A. No individual shall operate conventional or alternative onsite sewage systems without a valid master-level onsite sewage system operator license issued by the board.
- B. An individual cannot simultaneously hold valid master-level and journeyman-level onsite sewage system operator licenses issued by the board. Issuance of a master-level onsite sewage system operator license shall void the journeyman-level onsite sewage system operator license.
- C. An individual cannot simultaneously hold valid conventional and alternative onsite sewage system operator licenses issued by the board, regardless of whether the licenses are master-level or journeyman-level. Issuance of an alternative onsite sewage system operator license shall void the conventional onsite sewage system operator license.
- D. A journeyman-level onsite sewage system operator must work under the direct supervision of a licensed master-level onsite sewage system operator. A master-level onsite sewage system operator is responsible for supervising the operation provision of onsite sewage systems by any journeyman-level onsite sewage system operator under his responsibility.
- E. Experience to qualify for licensure cannot be verified by a journeyman-level onsite sewage system operator.

*This document is a **draft only** and is subject to amendment during the review process. Once the Board finalizes its review, the text that the Board agrees upon will be adopted as proposed. The proposed regulations will then undergo executive branch approval and additional changes may be made during that process. Once executive branch approval is obtained, the proposed regulations will be published on www.townhall.virginia.gov and will be open for public comment.*

18VAC160-40-220. Qualifications for journeyman level conventional onsite sewage system operator licenses.

An applicant for licensure as a journeyman-level conventional onsite sewage system operator shall furnish acceptable documentation that one of the following requirements has been met:

	Prerequisites	Exam Required	Education Required	Documented Qualifying Experience
1.	None	No	No	Six months of full-time experience assisting with the operation of conventional or alternative onsite sewage systems verified by one or more of the following: onsite soil evaluator, a licensed onsite sewage systems operator, or a licensed professional engineer. Work experience gained prior to July 1, 2009 may be verified by a VDH

18 VAC 160-40-230. Qualifications for master-level conventional onsite sewage system operator licenses.

An applicant for licensure as a master-level conventional onsite sewage system operator shall furnish acceptable documentation that one of the following requirements has been met:

	Prerequisites	Exam Required	Education Required	Documented Qualifying Experience
1.	Wastewater Works Operator license	Yes	No	None

This document is a draft only and is subject to amendment during the review process. Once the Board finalizes its review, the text that the Board agrees upon will be adopted as proposed. The proposed regulations will then undergo executive branch approval and additional changes may be made during that process. Once executive branch approval is obtained, the proposed regulations will be published on www.townhall.virginia.gov and will be open for public comment.

2.	No	Yes	10 hours of education approved by the Board covering the content areas for the conventional onsite sewage system operator examination	Six months of full-time experience assisting with the operation of conventional or alternative onsite sewage systems verified by one or more of the following: professional engineer, a licensed onsite sewage system operator, or onsite soil evaluator. Work experience gained prior to July 1, 2009 may be verified by a VDH AOSE.
3.	No	Yes	No	One year of full-time experience assisting with the operation of conventional or alternative onsite sewage systems verified by one or more of the following: professional engineer, a licensed onsite sewage system operator, or onsite soil evaluator. Work experience gained prior to July 1, 2009 may be verified by a VDH AOSE.

18 VAC 160-40-240. Qualifications for journeyman level alternative onsite sewage system operator licenses.

An applicant for licensure as a journeyman-level alternative onsite sewage system operator shall furnish acceptable documentation that one of the following requirements has been met:

	Prerequisites	Exam Required	Education Required	Documented Qualifying Experience
1.	None	No	No	One year of full-time experience assisting with the operation of alternative onsite sewage systems verified by one or more of the following: a licensed onsite soil evaluator, a licensed onsite sewage system operator, or a licensed professional engineer. Work experience gained prior to July 1, 2009 may be verified by a VDH AOSE.

This document is a draft only and is subject to amendment during the review process. Once the Board finalizes its review, the text that the Board agrees upon will be adopted as proposed. The proposed regulations will then undergo executive branch approval and additional changes may be made during that process. Once executive branch approval is obtained, the proposed regulations will be published on www.townhall.virginia.gov and will be open for public comment.

2.	None	No	20 hours of education approved by the Board covering the content areas for the alternative onsite sewage system operator examination	Two years of full-time experience assisting with the operation of alternative onsite sewage systems verified by one or more of the following: a licensed onsite soil evaluator, a licensed onsite sewage system operator, or a licensed professional engineer. Work experience gained prior to July 1, 2009 may be verified by a VDH AOSE.
----	------	----	--	--

*This document is a **draft only** and is subject to amendment during the review process. Once the Board finalizes its review, the text that the Board agrees upon will be adopted as proposed. The proposed regulations will then undergo executive branch approval and additional changes may be made during that process. Once executive branch approval is obtained, the proposed regulations will be published on www.townhall.virginia.gov and will be open for public comment.*

18 VAC 160-40-250. Qualifications for master-level alternative onsite sewage system operator licenses.

An applicant for licensure as a master-level alternative onsite sewage system operator shall furnish acceptable documentation that one of the following requirements has been met:

	Prerequisites	Exam Required	Education Required	Documented Qualifying Experience
1.	Held or holds a valid interim onsite sewage system operator license or a valid conventional or alternative onsite sewage system license.	Yes	No	One year of full-time experience assisting in the operation of alternative onsite sewage systems verified by one or more of the following: a licensed alternative onsite soil evaluator, a licensed alternative onsite sewage system operator, or a licensed professional engineer. Work experience gained prior to July 1, 2009 may be verified by a VDH AOSE.
2.	Held or holds a Conventional Onsite Sewage System Operator license	Yes	10 hours of training approved by the Board covering the content areas for the alternative onsite sewage system operator examination	Eighteen months of full-time experience verified by one or more of the following: a licensed onsite soil evaluator, a licensed onsite sewage system operator, or a licensed professional engineer. Work experience gained prior to July 1, 2009 may be verified by a VDH AOSE.
3.	None	Yes	20 hours of training approved by the Board covering the content areas for the alternative onsite sewage system operator examination	Two years of full-time experience in the operation of alternative onsite sewage systems verified by one or more of the following: a licensed alternative onsite soil evaluator, a licensed alternative onsite sewage system operator, or a licensed professional engineer. Work experience gained prior to July 1, 2009 may be verified by a VDH AOSE.

This document is a draft only and is subject to amendment during the review process. Once the Board finalizes its review, the text that the Board agrees upon will be adopted as proposed. The proposed regulations will then undergo executive branch approval and additional changes may be made during that process. Once executive branch approval is obtained, the proposed regulations will be published on www.townhall.virginia.gov and will be open for public comment.

4.	Class 4 or higher Wastewater Works Operator license	Yes	10 hours of training approved by the Board covering the content areas for the alternative onsite sewage system operator examination	No
5.	Class 4 or higher Wastewater Works Operator license	Yes	No	Six months of full-time experience operating alternative onsite sewage systems verified by one or more of the following: a licensed alternative onsite soil evaluator, a licensed alternative onsite sewage system operator, or a licensed professional engineer. Work experience gained prior to July 1, 2009 may be verified by a VDH AOSE.

